

Clark County Rural Zoning Commission
Regular Meeting – 8:30 a.m.
Wednesday, May 10, 2006

Administration Building
of the former Springview Center
3130 East Main Street
Springfield, OH 45505

AGENDA

1. **Minutes – April 12, 2006 (Regular)** *Discussion &
Action*
2. **Rezoning Case Theresa R. Siejack** *Discussion &
Action*
 Z-2006-9 Moorefield Township ~ 4.037 acres
 4690 Urbana Rd.
 A-1 to PD-M (Planned Development (Mixed Use) District)
 Public Hearing
3. **Staff Comments** *Discussion*
4. **Adjournment** *Action*

www.clarkcountyohio.gov/planning

Minutes

Clark County Rural Zoning Commission

Regular Meeting ~ 8:30 a.m.
Wednesday, April 12, 2006

Administration Building of the former Springview Center
3130 East Main Street
Springfield, OH 45505

Mr. Tom Crosbie, Chairperson of the Clark County Rural Zoning Commission, called the meeting to order at 8:30 a.m.

Present: Mr. Tom Crosbie, Mr. Gary Cummins, Mr. Ron Rhine, and Mrs. Linda Smith.

Absent: Mr. John Baird and Mrs. Jerri Taylor.

RZC: 4-5-2006: Minutes ~ January 11, 2006

Motion by Mr. Rhine, seconded by Mrs. Smith to approve the minutes as printed.

VOTE: Motion carried unanimously.

Z-2006-3 Rezoning Case ~ Freda Mills-Price ~ Mad River Township ~ 1 acre ~ 6500 Springfield-Xenia Rd. ~ A-1 (Agricultural District) to B-1 (Neighborhood Business District) ~ Public Hearing

Philip Tritle, Planning Staff, presented the report on the rezoning case submitted by Freda Mills-Price. He highlighted information contained in the staff report and on the maps and drawings. The County Engineer noted that the business has access to Jackson Rd. even though it has a Springfield-Xenia address. The applicant is planning to run an antique business from this location. Drainage is adequate under the present use. If additional buildings or parking areas are planned, a stormwater erosion control plan may be required. Based on review of access and drainage, the Engineer does not object to the rezoning.

Although this property is in the Agricultural/Rural Residential area on the Comprehensive Plan, but since there is a business use to the north and to the south, the proposed property use will fit into the general area. The County Planning Commission met on April 5, 2006 and recommended approval of the rezoning from A-1 to B-1. Staff recommends approval.

Mr. Cummins asked if the issue of additional buildings and parking has been addressed.

Mr. Tritle responded that, as far as he knows, the business will be within the current building and any parking that the owner would have to add, if it disturbs more than ½ acre, would require that a stormwater plan be submitted to the county.

Chairperson Crosbie opened the public hearing and asked for proponents.

Don Walsh stated that he is a partner in the business. It will be a simple antique shop. There will not be a lot of traffic.

Chairperson Crosbie asked for opponents. There being none, he closed the public hearing.

Minutes

Clark County Rural Zoning Commission

RZC: 4-6-06: Z-2006-3 Rezoning Case ~ Freda Mills-Price ~ Mad River Township ~ 1 acre ~ 6500 Springfield-Xenia Rd.

Motion by Mrs. Smith, seconded by Mr. Cummins to grant **Approval** for the request of Freda Mills-Price to rezone 1 acre located at 6500 Springfield-Xenia Rd., Mad River Township from A-1 (Agricultural District) to B-1 (Neighborhood Business District).

VOTE: Motion carried unanimously.

Z-2006-5 Rezoning Case ~ Doug Joos ~ Green Township ~ 57 acres ~ adjacent to 5955 S. Pitchin Rd. ~ A-1 (Agricultural District) to AR-5, AR-10, AR-25 (Agricultural/Residential Districts)

Z-2006-6 Rezoning Case ~ Brenda Gregory ~ Green Township ~ 3.72 acre ~ 5955 S. Pitchin Rd. ~ A-1 (Agricultural District) to AR-5 (Agricultural/Residential District)

Public Hearing

Philip Tritle, Planning Staff, presented the report on the rezoning cases submitted by Doug Joos and Brenda Gregory. He highlighted information contained in the staff report and on the maps and drawings. The reason for this rezoning is that, under the A-1 (Agricultural District), lotsplits from 1 acre to 4.99 acres are permitted, but anything between 5 acres and 40 acres has to be rezoned because of the 40 acre minimum (except for lotsplits). The applicant (Mr. Joos) intends to sell the 50 acres on the west portion (not contained in the rezoning) to Little Miami Inc. The remainder to the east will be cut up into three lots. The County Engineer noted that, for both cases, access to Pitchin Rd. is available. Except for the existing house, separate driveway permits will be required. Based on the review of access and drainage, the Engineer's office has no objections to the request.

Planning Staff noted that on April 5, 2006 the Clark County Planning Commission recommended approval of the rezonings. Staff recommends approval of the rezoning requests.

Chairperson Crosbie opened the public hearing and asked for proponents.

Doug Joos, 8000 Selma Pike, plans to split the property to create future home sites. Little Miami recently purchased the flood plain portion. Six acres will be added to the 3.7 acres owned by Brenda Gregory for a total of 9.7 acres.

Mrs. Smith asked if the land purchased by Little Miami Inc. would remain natural.

Mr. Joos responded that they plan to plant trees. They already own the adjoining property to the north.

Chairperson Crosbie asked for proponents. There being none, he closed the public hearing.

Minutes

Clark County Rural Zoning Commission

RZC: 4-7-2006:

Z-2006-5 Rezoning Case ~ Doug Joos ~ Green Township ~ 57 acres ~ adjacent to 5955 S. Pitchin Rd

Z-2006-6 Rezoning Case ~ Brenda Gregory ~ Green Township ~ 3.72 acre ~ 5955 S. Pitchin Rd

Motion by Mr. Rhine, seconded by Mr. Cummins to grant Approval of the request of Doug Joos to rezone 57 acres located adjacent to 5955 S. Pitchin Rd. in Green Township from A-1 (Agricultural District) to AR-5, AR-10, and AR-25 (Agricultural/Residential Districts) and Brenda Gregory to rezone 3.72 acres located at 5955 S. Pitchin Rd. in Green Township, from A-1 (Agricultural District) to AR-5 (Agricultural/Residential Districts).

VOTE: Motion carried unanimously.

Z-2006-7 Rezoning Case ~ Jacob Metz Estate and F. William Nachtrieb ~ Harmony Township ~ 18.935 acres ~ East of Houston Pike and South of I-70 ~ A-1 (Agricultural District) to AR-10 (Agricultural/Residential District) ~ Public Hearing

Philip Tritle, Planning Staff, presented the report on the rezoning case submitted by the Jacob Metz Estate and F. William Nachtrieb. He highlighted information contained in the staff report and on the maps and drawings. The County Engineer reviewed the request and noted that access would be to Houston Pike. Drainage appears to be fair under the present agricultural use, noting that there are some open channels carrying surface water across the property. The area along the drainage courses is not suitable for development purposes. With almost 20 acres in size there should be no problem putting a house site on the property. Based on the County Engineer's review, they have no objections to the request.

Planning noted that this is a parceling off of a portion of 104 acres that is away from the rest of the property. The Clark County Planning Commission met on April 5, 2006 and recommended approval of the rezoning request from A-1 to AR-10. Staff is also recommending approval to AR-10. One letter objecting to the request was received from a surrounding property owner. Loss of farmland was the main objection.

Chairperson Crosbie opened the public hearing and asked for proponents.

Bart Sheridan, representative for the applicant, pointed out that even without the rezoning, a house could be built on the land. There would be no additional loss of farmland. This piece of ground is already separated from the rest of the parcel by Houston Pike.

Chairperson Crosbie asked for opponents. There being no opponents, he closed the public hearing.

Minutes

Clark County Rural Zoning Commission

RZC: 4-8-2006: Z-2006-7 Rezoning Case ~ Jacob Metz Estate and F. William Nachtrieb ~ Harmony Township ~ 18.935 acres ~ East of Houston Pike and South of I-70

Motion by Mr. Rhine, seconded by Mrs. Smith to grant Approval of the request of the Jacob Metz Estate and F. William Nachtrieb to rezone 18.935 acres located east of Houston Pike and south of I-70 in Harmony Township from A-1 (Agricultural District) to AR-10 (Agricultural/Residential District).

VOTE: Motion carried unanimously.

Z-2006-8 Rezoning Case ~ Thomas A. Bennett ~ Moorefield Township ~ 10.011 acres ~ 5335 East County Line Rd. ~ A-1 (Agricultural District) to AR-10 (Agricultural/Residential District) ~ Public Hearing

Philip Tritle, Planning Staff, presented the report on the rezoning case submitted by Thomas A. Bennett. He highlighted information contained in the staff report and on the maps and drawings. The applicant is requesting to take 10 acres off of the eastern portion of a larger tract for a building site. There is a small area of the flood plain on the 10 acres but it would not present a problem as far as the building site is concerned. The County Engineer noted that rezoning would facilitate the subdividing from the residue tract. There are no existing dwelling located on the property, which is presently serviced by a field drive off the east end of the property. Access to E. County Line Rd. is directly available at the field drive location. It is recommended to restrict access to the existing field drive location, due to the steep grade of the roadway, west of the drive. In addition, the applicant should be required to clear brushy growth and trees along the frontage of the proposed 10 acre tract, to improve sight visibility. Drainage appears satisfactory, considering the property is heavily wooded. There is sufficient relief within the tract to provide adequate drainage for a residential building site. The County Engineer has no objections to the rezoning.

Planning Staff recommends approval noting that the Clark County Planning Commission met on April 5, 2006 and recommended approval of the rezoning to AR-10.

Chairperson Crosbie opened the public hearing and asked for proponents.

Tom Bennett, currently residing at 5335 East County Line Rd., stated that he is the property owner. He stated that the parcel is wooded and is a pretty building site.

Since there were no opponents, Chairperson Crosbie closed the public hearing.

RZC: 4-9-2006: Z-2006-8 Rezoning Case ~ Thomas A. Bennett ~ Moorefield Township ~ 10.011 acres ~ 5335 East County Line Rd.

Motion by Mr. Rhine, seconded by Mr. Cummins to grant Approval of the request of the Thomas A. Bennett to rezone 10.011 acres located at 5335 East County Line Rd. in

Minutes

Clark County Rural Zoning Commission

Moorefield Township from A-1 (Agricultural District) to AR-10 (Agricultural/Residential District).

VOTE: Motion carried unanimously.

Staff Comments

None.

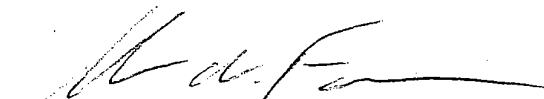
Adjournment

RZC: 4-10-2006: Adjournment

Motion by Mrs. Smith, seconded by Mr. Cummins to adjourn the meeting.

VOTE: Motion carried unanimously.

The meeting was adjourned at 8:58 a.m.


Shane W. Farnsworth, Secretary

NOTE FOR MINUTE BOOK: See additional information included following the minutes.

Rezoning Case # Z-2006-9

To: Clark County Rural Zoning Commission	Date of Meeting: May 10, 2006
From: Planning Staff	Date of Report: April 25, 2006

Applicant: Theresa R. Siejack

Request Action: Rezone **from - A-1** (Agriculture District)
to - PD-M (Planned Development - Mixed Use)

Purpose: To establish a bed & breakfast within current residence, gift/antique shop in outbuilding, space for special events, replace old barn with structure to contain pub and banquet room on first floor and 10 additional guest rooms on second floor.

Location: 4690 Urbana Rd.

Size: 4.037 acres

Existing Land Use: single-family residence

Surrounding Land Use and Zoning:

	Land Use	Zoned
North	Agriculture, commercial, residential & industrial	A-1 (Agricultural), B-3 (General Business), R-1 (Single-Family), B-1 (Neighborhood Business), and I-1 (Industrial District)
South	Agriculture	A-1 (Agricultural)
East	Agriculture	A-1 (Agricultural)
West	Commercial, industrial, & agriculture	I-1 (Industrial District)

ANALYSIS

This area was zoned A-1 Agricultural when zoning was originally adopted.

REPORTS FROM OTHER AGENCIES

County Engineer

The County Engineer has reviewed the request to rezone 4+ acres located at 4690 Urbana Road, from A-1 Agricultural zoning to Planned Development Mixed Use (PD-M) zoning for the Simon Kenton Inn Bed & Breakfast. There are existing buildings located on the property, which are being renovated for use as the B&B.

Access to a public roadway (Urbana Road) is provided via an existing gravel drive which includes a circuitous drive through the property. Urbana Road functions as a major collector, with a median crossover located opposite the primary access point. There are no expected issues related to traffic anticipated by the proposed use, which is considered low impact by this office.

The drainage appears satisfactory under the present use. It is not anticipated that the requested zoning change and/or use of the property will have any significant impact on the amount of runoff. No major changes to landscape are expected, that would require the owner to develop or address stormwater issues at this time.

Based upon our review of access and drainage, there are no objections to the requested change.
(See April 18, 2006 letter)

Planning Department

This area is shown as Community Commercial development on the **CROSSROADS** Comprehensive Land Use Plan which should be directed to existing business districts and major highway interchanges. A major commercial activity area is Upper Valley Mall and Bechtle Avenue, which is assumed to continue to serve a regional market. Additional investment/reinvestment should be encouraged along Main Street on Springfield's east side. Additional nodes include major intersections, such as at Villa and Derr roads, and the downtowns of New Carlisle, Enon, South Charleston, etc.

Development along commercial corridors should meet the County's access management standards in terms of combined access. A low-density, sprawled commercial pattern is not supported along the County's major arterials. Where adjacent to existing or planned neighborhoods, commercial development should provide pedestrian connections to reduce auto congestion and should be well buffered to reduce negative impacts on such neighborhoods. Historic city and village centers will be revitalized.

The applicant has submitted a PD-M plan for the development of a 4+ acres located at 4690 Urbana Road. The existing house was built in 1828 and contains 3300 sq. ft. according to the Clark County Auditor's records. There are several outbuildings also located on this site. According to the PD-M plan, development will occur in two phases -

PHASE 1 - Single-family residence, bed & breakfast with 7 guest rooms (4 guest rooms in main residence; 3 guest rooms in cottage), gift/antique shop, space for special events (weddings, graduations, reunions, etc.), serve Sunday Brunch

PHASE 2 - Tear down existing bank barn and rebuild new barn-like structure with possible pub on ground floor with banquet room - second floor for 10 additional guest rooms - completed before end of 2010 - architecture statements and drawings to be submitted

The PD-M written plan is noted within the included six page "Attachment A". A visual representation is noted on the attached "Plan Drawing". Although one of the main purposes is to establish a Bed and Breakfast, the Zoning and Building regulations will consider this use a motel because the proposed use does not meet the definition of a Bed & Breakfast as stated in said regulations - "Single-family dwelling offering room and board without individual kitchen facilities for up to five (5) persons who are transient". It should also be noted that even if the rezoning is approved, there will be building code requirements which must be met that could result in considerable cost such as sprinklers, fire alarms, handicapped access, etc. - (see April 25, 2006 letter from Clark County Building Regulations Dept.)

RECOMMENDATION

When viewed as a whole, the proposed PD-M rezoning is compatible with the surrounding uses and, for the most part, preserves the historic character of the site. The Staff recommend approval of this PD-M as presented notwithstanding development issues related to the building code.

Clark County Planning Commission - Meeting Date: April 5, 2006

Motion by Mr. Jurick seconded by Mr. Bicknell, to recommend **Approval** to the Rural Zoning Commission for the request of Theresa R. Siejack to rezone 4.037 acres located at 4690 Urbana Rd., Moorefield Township from **A-1** (Agriculture District) to **PD-M** (Planned Development - Mixed Use District) with the following conditions - 1) cottage will keep historical character and the new structure to replace the bank barn will replicate the style of the existing building (i.e., keep historical character and current "footprint"), and 2) overflow parking will consist of grass and/or permeable pavement.

VOTE: Yes: Mr. Bicknell, Mr. Jurick, Mrs. Parker, Mrs. Stevenson, and Mr. Turner.

Pass: Mr. Detrick, Mr. Hartley and Mr. Tackett.

Motion carried.

Attachments:

PD-M Plan matrix

PD-M Plan Drawing

County Engineer's letter

Building Dept. Letter

Location Map

Zoning Map

ATTACHMENT "A"

REZONING CASE Z-2006-9

Thesesa R. Siejack - 4690 Urbana Rd. - A-1 to PD-M

CHAPTER 4 PLANNED DEVELOPMENT DISTRICT REQUIREMENTS AND PROCEDURES

Section A PD Planned Development Districts Requirements and Procedures

1. Intent. The intent of the Planned Development Districts is to establish a zoning procedure for the development of areas on a planned basis in accordance with an overall Development Plan and specific procedures for site plan review and approval. In addition, it is proposed to be flexible in the regulation of basic land planning and to encourage imaginative site planning that serves the overall development. Planned Development Districts are intended to be located in areas which are served with appropriate infrastructure.
2. Purpose. The PD Planned Development District is established to:
 - (a) Permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.
 - (b) Conserve land through more efficient allocation of an overall development design through new techniques not available through strict adherence to usual zoning standards.
3. Applicability. The provisions of this Chapter may apply to any land within the unincorporated area of the County that are regulated by County Zoning, which are to be developed in a more flexible manner than permitted by the provisions of Chapter 2 of these Regulations. All requirements of the Clark County Subdivision Regulations shall be complied with.

ZONING REGULATIONS	COMMENTS
<p>4. Development Requirements.</p> <p>(a) The physical character of the site shall be suitable for development in the manner proposed, without hazards to persons or property on or off the site from possible flooding, erosion, subsidence or other dangers, annoyances or inconveniences.</p> <p>(b) The site shall have direct access to a major street* and not generate traffic on minor residential streets outside the district. This requirement does not apply to single family detached residential developments having an overall density of four dwelling units per acre or less.</p> <p>(c) Utilities and public facilities for the proposed development shall be installed at the expense of the developer.</p> <p>(d) The development shall provide for efficient, safe, convenient and harmonious grouping of structures, uses and facilities.</p> <p>(e) There shall be an appropriate relationship of space, inside and outside buildings, to the intended uses and structural features.</p> <p>(f) Provision shall be made at points of ingress, egress and within the district to ensure a free and safe flow of vehicular and pedestrian traffic.</p> <p>(g) Common areas and open space may be required.</p> <p>(h) All off-street common parking for more than five cars, all service areas for loading and unloading vehicles, and all areas for storage and collection of trash and garbage shall all be properly screened.</p>	<p>The physical character of the site is suitable for development without any known hazards.</p> <p>The site has direct access to Urbana Road.</p> <p>Utilities currently exist on property - exhibit A-2.</p> <p>Structures already exist for Phase 1 of development - no additions to structures - may consider building a pavilion or gazebo for outside gatherings.</p> <p>Comply.</p> <p>There is newly blacktopped driveway for vehicular ingress & egress.</p> <p>Existing.</p> <p>There is currently marked parking on blacktop for 10 cars. More cars can park in circle (see exhibit A-1) and on lawn for special larger events.</p>

* Major street is any street other than a "Local street" as shown on the Thoroughfare Plan.

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>5. Standards for Planned Development "PD" Districts.</p> <p>(a) The planned development should be completed within the period of time specified in the schedule of development submitted by the developer.</p> <p>(b) The planned development shall not jeopardize public health, safety and morals.</p> <p>(c) The street system within the site shall be designed to adequately serve the proposed development, relative to use and type. If warranted or recommended by the County Engineer, the developer may be required to submit a traffic study to determine whether offsite improvements or devices are needed to maintain a suitable level of service on the adjacent public roadways.</p> <p>(d) The development should not impose an undue burden on public services, utilities, or other infrastructure and facilities, including fire and police protection.</p> <p>(e) The development plan shall contain such proposed covenants, easements and other provisions relating to the proposed development standards, as are reasonably required for public health, safety and morals.</p> <p>(f) The location and arrangement of structures, parking areas, walks, lighting and appurtenant facilities shall be compatible with the surrounding land uses, and any part of the planned development not used for structures, parking and loading areas, or accessways, shall be landscaped, improved, or otherwise used appropriately in concert with the overall development.</p> <p>(g) When a planned development provides for common open space, the total area of common open space provided at any stage of development shall, at a minimum, bear a relationship equal to or greater than to the total open space to be provided in the entire planned development as such stages or units completed or under development bear to the entire planned development.</p> <p>(h) A major change in the development plan is defined as:</p> <p>(1) an increase in the proposed baseline density of the entire project or any phase/section thereof of greater than 15%</p> <p>(2) a change in the proposed uses</p> <p>(3) a change in the proposed utilization of public infrastructure of more than 15%</p>	<p>Phase 1 shall be completed within 1 year of approval of rezoning.</p> <p>Refer to County Engineer.</p> <p>Refer to County Engineer.</p> <p>N/A</p> <p>County Engineer?</p> <p>Landscaping, walks and lighting already exist.</p> <p>N/A</p> <p>No major changes in development plan - Phase 1.</p>
<p>6. <u>Criteria for Approval.</u> In approving an application for a Planned Development the reviewing authorities shall determine:</p> <p>(a) That the proposed development is consistent with the purpose and intent applicable standards of these Zoning Regulations and the Comprehensive Plan.</p> <p>(b) That each individual section of development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective will be attained.</p> <p>(c) That the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under other Zoning Districts in these Regulations.</p> <p>(d) That the internal streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic.</p> <p>(e) That any part of the development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved unless left in a natural state.</p>	<p>to be discussed and determined by county planning and zoning.</p>

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>(f) The plan is acceptable, or will be acceptable, to the County Engineer, Clark Soil & Water Conservation District, the Combined Health District or Ohio EPA and the provider of public sewer and water (if applicable).</p> <p>(g) That significant cultural, historical, and natural amenities of the site are preserved and protected.</p> <p>(h) That common areas and open space will be managed and maintained for the long term.</p> <p>(i) That infrastructure, including sewer and water, will be sufficient for the needs of the occupants and not precipitate health or safety problems in the future.</p>	
<p>7. The applicant/owner/developer is encouraged to undertake informal discussions of a concept plan with the County Planning staff prior to submitting a preliminary PD plan.</p>	<p>has been accomplished</p>
<p>8. <u>Preliminary PD Plan.</u> The owner of land who wishes to develop his property according to the provisions of this chapter, shall submit six (6) copies of a preliminary PD plan and application for preliminary approval. The preliminary PD plan for the use and development of the area of land shall list all requested variations from requirements of the underlying district in which the tract of land is located. The preliminary PD plan may show a range of dimensions and need not have the specificity of the final plan. The application shall be accompanied by the following:</p>	
<p>(a) A location map affixed to the plan.</p>	<p>exhibit "A" attached</p>
<p>(b) A preliminary PD plan of the proposed development drawn to an appropriate scale, showing:</p>	
<p>(1) Existing and proposed uses.</p>	<p>exhibit A-1</p>
<p>(2) Topographic contours at two (2) foot intervals or less on the PD property and within two hundred (200) feet of the proposed development.</p>	<p>exhibit A</p>
<p>(3) Location of floodplain and wetlands on the PD property and adjacent thereto.</p>	<p>N/A</p>
<p>(4) Location of existing and proposed streets, including points of connection.</p>	<p>N/A</p>
<p>(5) Location of existing and proposed utilities, including points of connection.</p>	<p>exhibit A-2</p>
<p>(6) Location and type of drainage and storm water management facilities.</p>	<p>N/A</p>
<p>(7) Approximate number of structures, by type use and size, proposed for the planned development.</p>	<p>three existing buildings</p>
<p>(8) For non-residential uses:</p>	
<p>a) building size-to-lot ratio</p>	
<p>b) plans for storage of any items outside of buildings</p>	<p>no additional storage plans</p>
<p>c) signage standards</p>	<p>per zoning code 100 square foot sign</p>
<p>(9) Proposed general arrangement of the buildings.</p>	<p>existing</p>
<p>(10) Location and area (size) of proposed open spaces either to be held in common or publicly, and whether it is to be used for active recreational purposes or only as an environmental amenity.</p>	<p>N/A</p>

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>(11) Sketches to show the general architectural design of buildings, types and character of the development.</p> <p>(12) Legal description of the tract of land for the planned development.</p> <p>(13) Parking provisions.</p> <p>(14) Loading facilities, if any.</p> <p>(15) Proposed landscaping approach (theme).</p> <p>(16) Such other information as is necessary to ascertain compliance with the requirements of this chapter.</p> <p>(17) An overview of existing and planned uses in surrounding area and expected impact of the proposed development on them.</p> <p>(18) General description of natural features of the site (trees, vegetation, floodplain, wetlands, streams) and approach for preserving and protecting them during construction and final build out.</p> <p>(19) Proposed timetable for development including general description and diagram of phases of development.</p>	<p>N/A</p> <p>Exhibit B</p> <p>Exhibit A-1</p> <p>N/A</p> <p>existing - see photos</p> <p>included</p> <p>included</p> <p>N/A</p> <p>PHASE 1 - Single-family residence, bed & breakfast with 7 guest rooms, gift/antique shop, space for special events (weddings, graduations, reunions, etc.), serve Sunday Brunch PHASE 2 - Tear down existing bank barn and rebuild new barn-like structure with possible pub on ground floor with banquet room - second floor for 10 additional guest rooms- completed before end of 2010 - architecture statements and drawings to be submitted</p>
<p>9. <u>Preliminary PD Plan Approval.</u> Approval of a preliminary PD plan shall be in accordance with procedures set forth herein. Approval of the zoning of the land to a PD district shall constitute approval of the preliminary plan. A preliminary PD plan shall be valid for no more than 36 months, unless specifically provided otherwise in the PD approval. The Preliminary Plan shall be considered void unless a Final PD Plan has been submitted for the development within the 36 month period for the area of land to which the PD applies unless an application for a time extension is submitted and approved.</p> <p>10. <u>Report of County Planning Commission.</u> Upon completion of review of the preliminary PD plan of the planned development, the Commission shall recommend either approval or denial of the plan and shall report its findings to the Rural Zoning Commission and County Commission. The report shall address the following: the variations in setbacks, lot area requirements, building heights, building types, sizes of buildings, consistency with the Comprehensive Plan, the combination of land uses, and traffic flow will be in the public interest, in harmony with the purposes of this code and other building regulations of the County and will not adversely affect nearby properties.</p> <p>11. <u>Changes in an Approved Preliminary PD Plan.</u> Major changes in an approved preliminary PD plan shall be subject to the same procedures for approval as for the original approved plan. A major change is defined in Section A., 5., (h). Any other changes are considered minor changes and may be approved by the Planning Director.</p> <p>12. <u>Final PD Plan.</u> Applications for approval of the final PD plan shall meet all the requirements of the preliminary PD plan and include the following:</p> <p>(a) Detailed plans and specifications of the planned development.</p>	

Section A (continued)

ZONING REGULATIONS	COMMENTS
<p>(b) Building elevations and floor plans for all structures.</p> <p>(c) Details of materials to be used for exterior construction.</p> <p>(d) A landscape plan including screening and buffering, if necessary, between the proposed and existing development.</p> <p>(e) Maintenance/ownership details of open space areas including stormwater facilities.</p> <p>13. <u>Final PD Plan of Phase/Section.</u> After preliminary approval of the entire planned development is given, a final plan of a Phase/Section within the planned development may be approved if:</p> <p>(a) The plan of the Phase/Section meets all requirements of a final plan.</p> <p>(b) The dwelling unit density within the Phase/Section does not exceed the dwelling unit density allowable for the least restrictive use for that area under existing zoning.</p> <p>(c) The Phase/Section can function as an independent development unit with adequate access, services, utilities, open space, etc.</p> <p>(d) The developer subdivides and improves all public rights-of-way necessary to support the Phase/Section.</p> <p>(e) The remaining Phase/Section is not left as an undevelopable remnant.</p> <p>14. <u>Final Plan Approval.</u> Final approval of any PD plan, or Phase/Section thereof, shall be by:</p> <p>(a) Administrative Staff review for a PD not requiring the immediate or future subdividing of property, i.e. the PD is contained on one parcel and shall not be subdivided.</p> <p>(b) Review and approval by the Planning Commission as a subdivision when lots or parcels are shown or proposed, i.e. the normal subdivision process is required but only as a Final Subdivision Plat.</p> <p>Approval shall be based on compliance with an approved preliminary PD plan and any modifications required by the County Rural Zoning Commission and County Commission at the time the land was zoned to PD. The Final Plan shall be considered void unless a building permit has been issued for the development within the 36 month period for the area of land to which the PD applies unless an application for a time extension is submitted and approved.</p> <p>15. <u>Recording of Final Plan.</u> After approval of the PD Final Plan noted in 3. above, said approved Final Plan shall be recorded in the office of the County Recorder.</p> <p>16. <u>Building and Zoning Permits.</u> After the PD Final Plan has been recorded as noted in 15. above, the final plan, or parts of the final plan, as finally approved, shall be filed with Building and Zoning Officials. Building and zoning permits may be issued only for structures conforming to the PD plan.</p> <p>17. <u>Changes in an Approved Final PD Plan.</u> Major changes in an approved final PD plan shall be subject to the same procedures for approval as for the original approved plan. A major change is defined in Section A., 5., (h). Any other changes are considered minor changes and may be approved by the Planning Director.</p> <p>18. <u>Denial of PD Final Plan or Denial of Minor Change.</u> Should a PD Final Plan be denied or a minor change be denied based on non-compliance with the PD Preliminary Plan, the applicant may request a review by the Rural Zoning Commission for a determination of compliance or non-compliance.</p>	

ZONING REGULATIONS

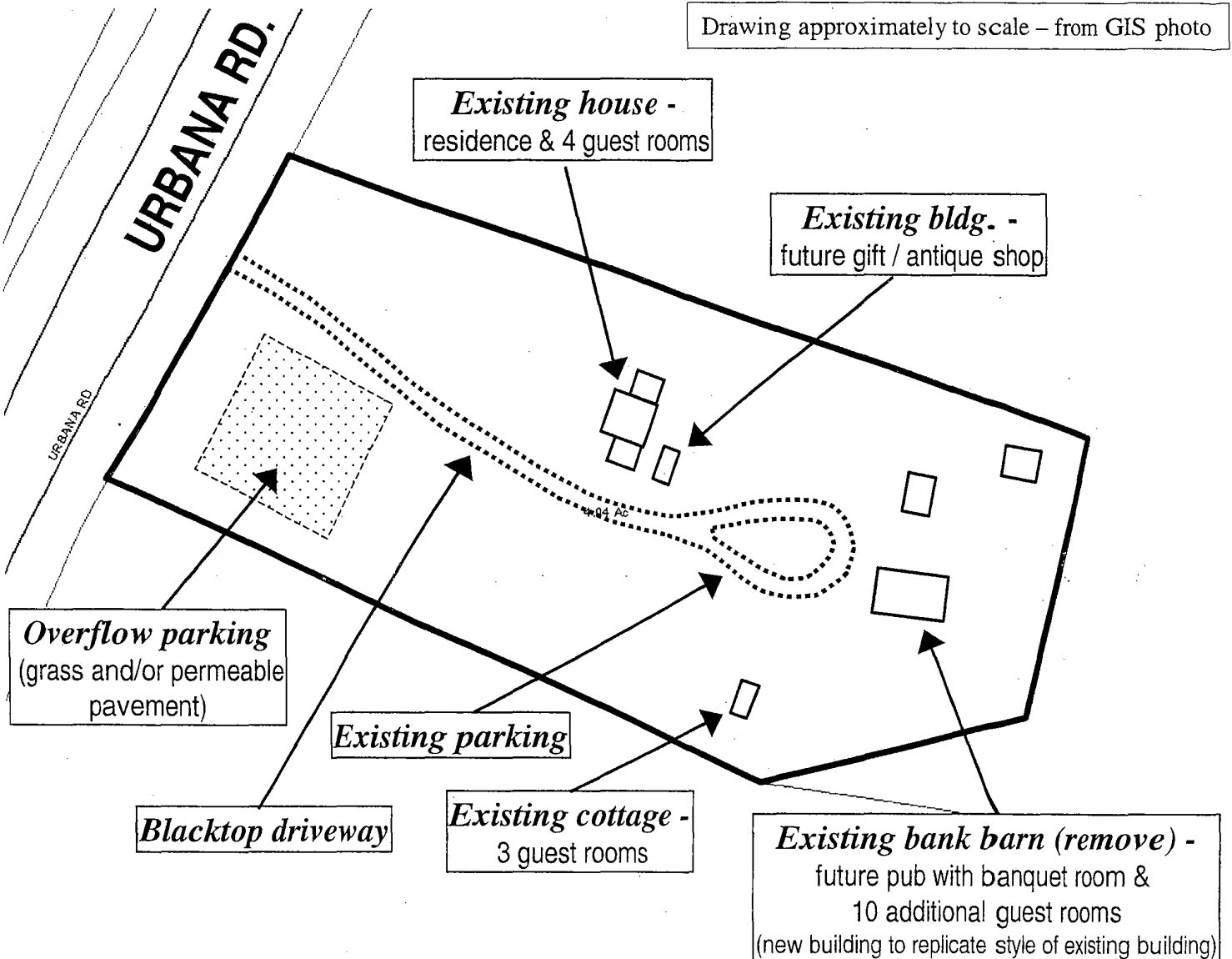
Section F PD-M Planned Development - Mixed Use District Requirements and Procedures

1. Intent. The intent of the PD-M District regulations is to:
 - (a) Provide flexibility for a variety of land uses arranged in such a way as to develop a plan permitting a mixture of types of buildings and uses in harmony with the each other which are not provided for in any of the other "PD" Districts;
 - (b) Encourage the preservation and best use of existing landscape features through development sensitive to the natural features of the surrounding area;
 - (c) Promote efficient land use with smaller networks of utilities and streets;
 - (d) Encourage and preserve opportunities for energy efficient development; and
 - (e) Promote an attractive environment that is compatible with surrounding developments.
2. Permitted Uses. Those uses included as permitted principal uses, accessory uses, and conditional uses in any zoning district except the R-MHP District. The Rural Zoning Commission or County Commission may exclude any proposed use determined inappropriate for the specific PD-M.

PD-M Plan Drawing

(Information transferred from applicant drawings & written plan)

Drawing approximately to scale – from GIS photo



PD-M Development Plan Uses:

PHASE 1 - Single-family residence with bed & breakfast - 4 guest rooms, cottage with 3 guest rooms, gift / antique shop, space for special events (weddings, graduations, reunions, etc.), serve Sunday Brunch

PHASE 2 - Tear down existing bank barn and rebuild new barn-like structure with possible pub on ground floor with banquet room - second floor for 10 additional guest rooms - completed before end of 2010 (architecture drawings to be submitted)



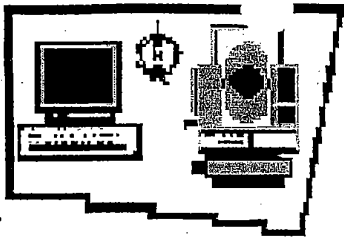
REZONING CASE #Z-2006-9

A-1 to PD-M

4.037 ac.

4690 Urbana Rd.

Moorefield Twp.



Clark County
Engineer's Department
4075 Laybourne Rd Springfield, Ohio 45505-3613
Bruce C. Smith, P.E., P.S.
Clark County Engineer

Office # (937) 328-2484

Fax # (937) 328-2473

www.clarkcountyohio.gov/engineer

April 18, 2006

Clark County Planning Commission
25 West Pleasant Street
Springfield, Ohio 45506
Attention: Phil Tritle, Planner

Re: **Rezoning Request Z-2006-9**
10+ acres from A-1 to PD-M
4690 Urbana Road

Mr. Tritle,

The County Engineer has reviewed the request to rezone 4+ acres located at 4690 Urbana Road, from A-1 Agricultural zoning to Planned Development Mixed Use (PD-M) zoning for the Simon Kenton Inn Bed & Breakfast. There are existing buildings located on the property, which are being renovated for use as the B&B.

Access to a public roadway (Urbana Road) is provided via an existing gravel drive which includes a circuitous drive through the property. Urbana Road functions as a major collector, with a median crossover located opposite the primary access point. There are no expected issues related to traffic anticipated by the proposed use, which is considered low impact by this office.

The drainage appears satisfactory under the present use. It is not anticipated that the requested zoning change and/or use of the property will have any significant impact on the amount of runoff. No major changes to landscape are expected, that would require the owner to develop or address stormwater issues at this time.

Based upon our review of access and drainage, there are no objections to the requested change.

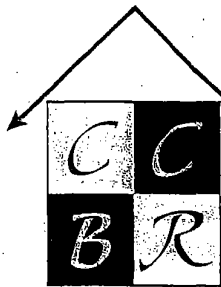
Sincerely,

Bruce C. Smith P.E., P.S.
Clark County Engineer

Kenneth D. Fenton
Deputy Engineer

Donald Boyle – Road Superintendent
Paul W. DeButy P.E. – Design Engineer
Kenneth D. Fenton, P.S., Deputy Engineer
Doug Frank – Bridge Superintendent
Pamela Fulton – Office Assistant

William A. Pierce, P.S. – LIS Director
Shayne Gray – GIS/CAD Coordinator
Mark Niccolini – Ditch Maintenance Supervisor
Lew Richards – Traffic Supervisor
Ned G. Weber, Deputy Engineer



Clark County Building Regulations

937.328.2495
937.328.2621 fax
email: bldgregs@co.clark.oh.us

Garfield Building
25 W. Pleasant St
Springfield, OH 45506

Dana R. Booghier, CBO
Director

To: Clark County Planning Commission

From: Dana R. Booghier, cbo
Director of Inspections *DRB*

Subject: Rezoning - 4690 Urbana Rd.

Date: 04/25/2006

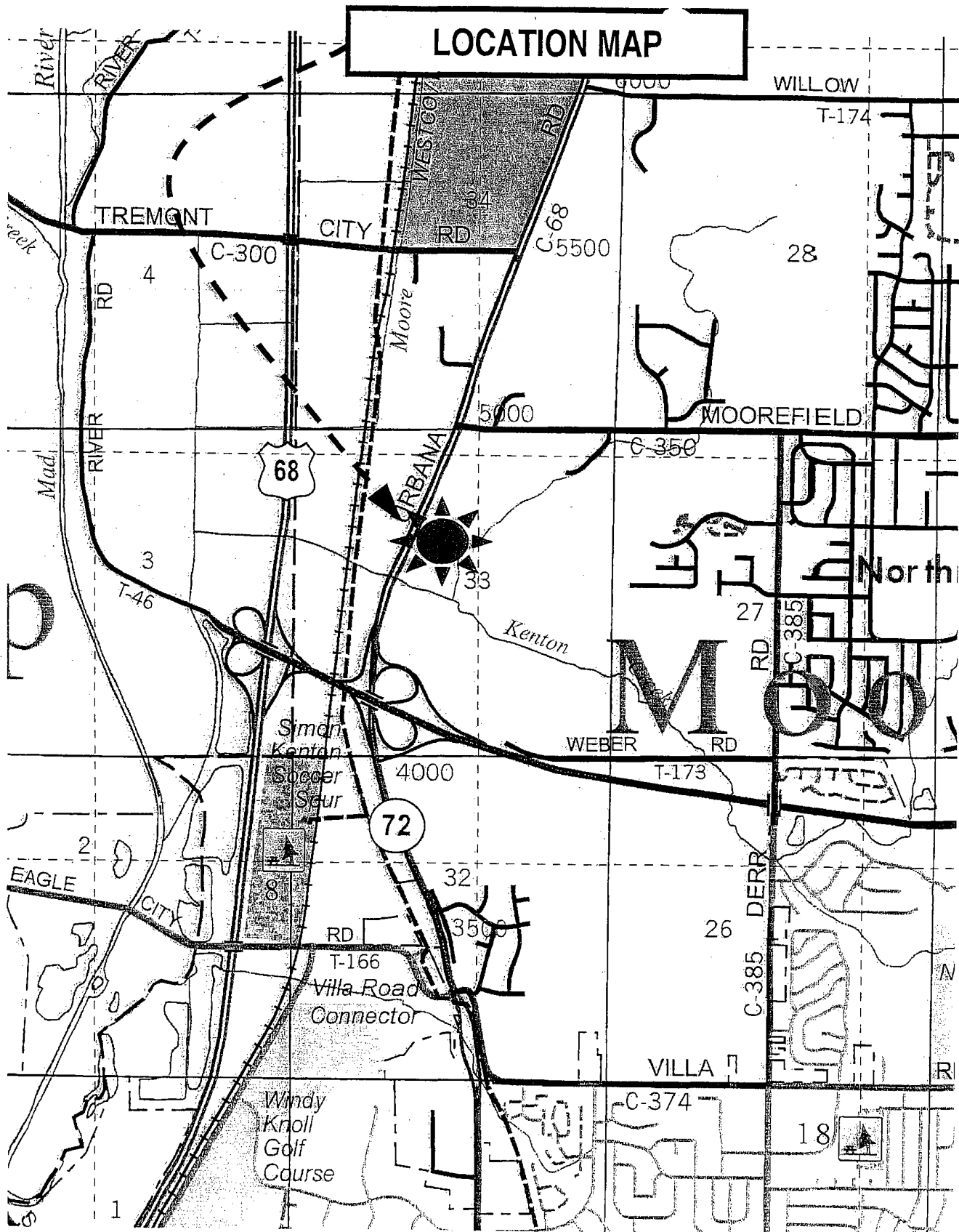
Gentlemen:

As requested, I have reviewed the information provided for the referenced property. This project consist of two phases: #1. Single-family dwelling, including 7 guest rooms (bed & breakfast), assembly space, gift shop, and Sunday brunch. #2. New structure designed for a pub, banquet room, and guest rooms.

Commercial drawings will be required for both phase #1 & #2. The following identifies some of the anticipated building code issues:

Phase #1: This proposal would be considered as "mixed use" and include all requirements for dwelling - motel - assembly. Typical requirements could be: sprinklers (public water source), EPA approved septic system, fire alarm system, accessibility and possibly variances from the State Board of Appeals.

Phase #2: This proposal would also be considered as "mixed use" and include items similar to above.



REZONING CASE #Z-2006-9

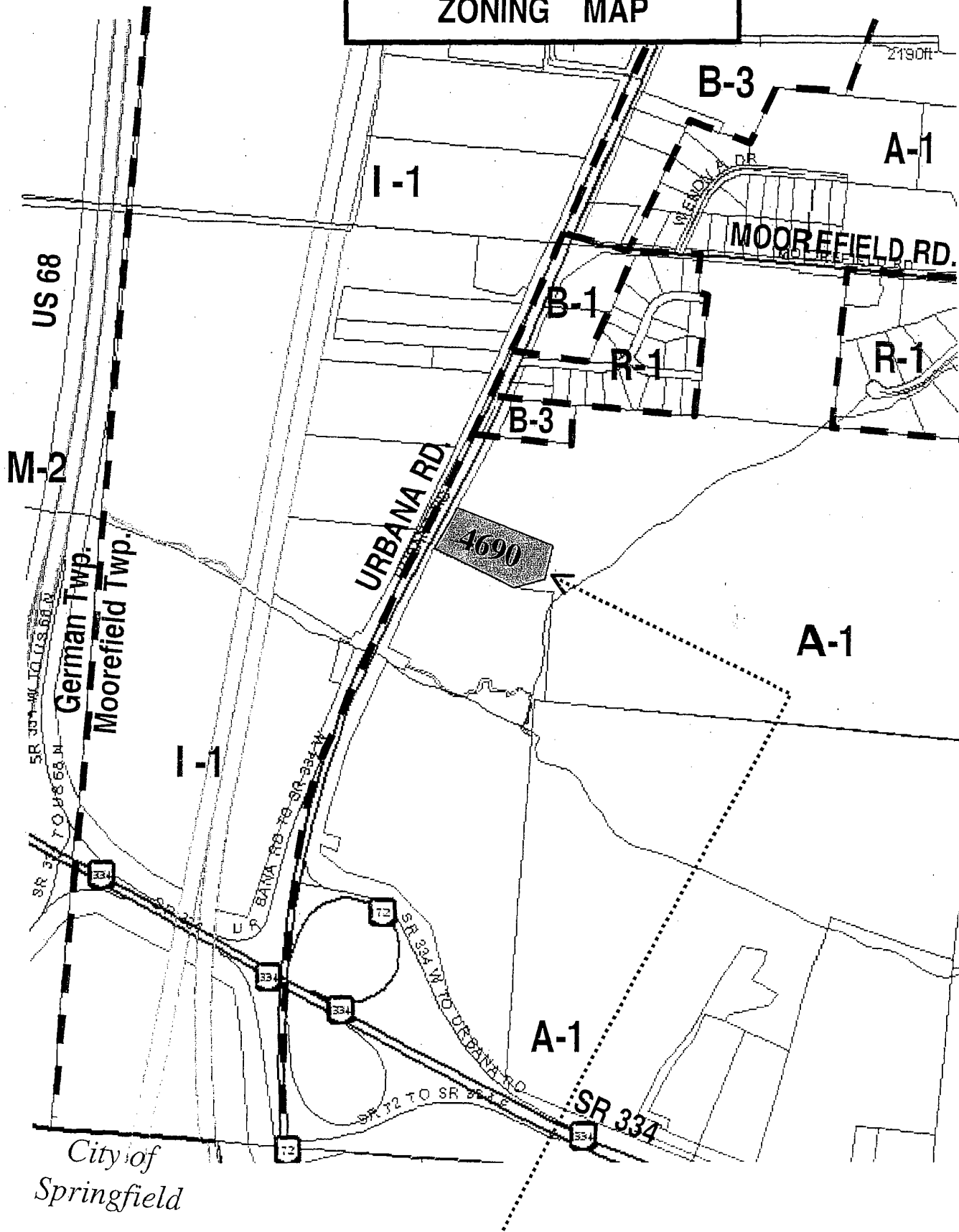
A-1 to PD-M

4.037 ac.

4690 Urbana Rd.

Moorefield Twp.

ZONING MAP



REZONING CASE #Z-2006-9

A-1 to PD-M

4.037 ac.

4690 Urbana Rd.

Moorefield Twp.

CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

May 2003

A-1

PRINCIPAL PERMITTED AND CONDITIONED USES:	
1. Agriculture, Farm Markets, & related buildings & structures	
2. Agricultural-Related Processing & Marketing	
3. Single-Family Residential	
4. Single-Family Residential (restricted to lotsplits)	
5. Single-Family Residential (restricted to cluster lotsplits & bonus cluster lotsplits)	
6. Private Landing Field	
7. Day-Care Homes	
8. Bed and Breakfast	
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	
1. Home Occupations	
2. Private and Public Outdoor Recreation Areas	
3. Cemeteries	
4. Animal Hospitals, Veterinary Clinics & Kennels	
5. Resource and Mineral Extraction	
6. Demolition Disposal Facility	
7. Airports	
8. Radio, Television, & Telecommunications Transmission & Receiving Towers	
9. Hospitals and Auxiliary Facilities	
10. Group Care Home	
11. Nursing Homes, Convalescent Homes, & Rest Homes	
12. Feed Lot, Grain Elevators, & Slaughterhouses	
13. Day-Care Centers	
14. Churches and Similar Places of Worship	
15. Primary and Secondary Schools	
16. Institutions of Higher Learning	
17. Garden Centers and Greenhouse	

AR-1, AR-2, AR-5, AR-10, & AR-25

PRINCIPAL PERMITTED AND CONDITIONED USES:	AR-1	AR-2	AR-5	AR-10	AR-25
1. Agriculture, Farm Markets, & related buildings & structures	Y	Y	Y	Y	Y
2. Single-Family Residences	Y	Y	Y	Y	Y
3. Day-Care Homes	Y	Y	Y	Y	Y
4. Bed and Breakfast	Y	Y	Y	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	AR-1	AR-2	AR-5	AR-10	AR-25
1. Home Occupations	Y	Y	Y	Y	Y
2. Churches and Similar Places of Worship	Y	Y	Y	Y	Y
3. Primary and Secondary Schools	N	Y	Y	Y	Y
4. Institutions of Higher Learning	N	N	Y	Y	Y

R-1, R-2, R-2A, R-2B

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-1	R-2	R-2A	R-2B
1. Single-Family Dwellings	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
2. Bed and Breakfast	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
3. Agriculture and Related Buildings and Structures	--	--	--	--
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-1	R-2	R-2A	R-2B
1. Home Occupation	Y	Y	Y	Y
2. Churches & similar places of worship	Y	Y	Y	Y
3. Primary & Secondary Schools	Y	Y	Y	Y
4. Institutions of Higher Learning	Y	N	N	N
5. Hospitals & Auxiliary Facilities	Y	Y	Y	N
6. Group Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	N	Y
	N	N	N	Y
7. Farm Markets	Y	Y	Y	Y
8. Cemeteries	Y	N	N	N
9. Day-Care Homes	Y	Y	Y	Y
	N	Y	Y	Y
	N	N	Y	Y
	N	N	N	Y
	Y	Y	Y	N
10. Nursing Homes, Convalescent Homes, Rest Homes				
11. Radio, Television & Telecommunication Transmission / Receiving Towers	Y	N	N	N
12. Zero Lot Line, Cluster, Detached, Semi-detached Dwellings, or other housing types of a similar character	N	Y	Y	Y

R-MHP

PRINCIPAL PERMITTED USES:
1. Mobile Homes
2. Manufactured Homes
3. Communal Facilities

Y = Yes (Permitted)

N = No (Not Permitted)

R-3 & R-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	R-3	R-4
1. Single-Family Dwellings	Y	Y
2. Two-Family Dwellings	Y	Y
3. Three-Family Dwellings	N	Y
4. Four-Family Dwellings	N	Y
5. Multiple-Family Dwellings	N	Y
6. Condominium Residences	N	Y
7. Agriculture and Related Buildings & Structures	Y	Y
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	R-3	R-4
1. Zero Lot Line, Cluster, Detached, Semi-detached, or Attached Dwellings, or other housing types of a similar character	Y	Y
2. Home Occupation	Y	Y
3. Churches & similar places of worship	Y	Y
4. Group Care Homes	Y	Y
5. Day-Care Homes	Y	Y
6. Day-Care Centers	N	Y
7. Community Facilities	N	Y

PD

PRINCIPAL PERMITTED USES:
1. PD-R (Residential)
2. PD-O (Office)
3. PD-B (Business)
4. PD-I (Industrial)
5. PD-M Mixed Uses
6. PD-C (Conservation)
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Home Occupation

CLARK COUNTY ZONING

General Uses - see zoning text for details and other restrictions

B-1, B-2, B-3 & B-4

PRINCIPAL PERMITTED AND CONDITIONED USES:	B-1	B-2	B-3	B-4
1. Business and/or Professional Offices	Y	Y	Y	Y
2. Banks & Financial Institutions	Y	Y	Y	Y
3. Eating & Drinking Places, excluding Drive-in or Carry-out	Y	Y	Y	Y
4. Radio and Television Broadcasting Studios	Y	Y	Y	Y
5. Funeral Homes & Mortuaries	Y	Y	Y	Y
6. Automotive Service Stations	Y	Y	Y	Y
7. Custom Butcher Shops	Y	Y	Y	Y
8. Indoor Motion Picture Theaters	N	Y	Y	Y
9. Retail Food Stores	N	Y	Y	Y
10. Drive-in, Fast Food, Drive-in Carry-out Restaurants and/or Drive-through Retail Establishments	N	Y	Y	Y
11. Garden Centers, Greenhouses	N	Y	Y	Y
12. Automotive Repair Garages	N	Y	Y	Y
13. Car Washes	N	Y	Y	Y
14. Air Conditioning, Plumbing, Heating, and Roofing Shops	N	Y	Y	Y
15. Automotive & Auto Accessory Sales	N	Y	Y	Y
16. Building and Related Trades	N	Y	Y	Y
17. Commercial Recreation Establishments	N	Y	Y	Y
18. Animal Hospitals, Veterinary Clinics, and Kennels	N	N	Y	Y
19. Building Material Sales Yard	N	N	Y	Y
20. Drive-In Motion Picture Theater	N	N	Y	Y
21. Private and Public Outdoor Recreation Areas	N	N	Y	Y
22. Motels and Hotels	N	N	Y	Y
23. Hospitals & Auxiliary Facilities	N	N	Y	Y
24. Automotive Body Shop	N	N	Y	Y
25. Carpenter, Sheet Metal & Sign Painting Shop, Bakery, Laundry, Wholesale Business	N	N	N	Y
26. Bottling of Soft Drinks and Milk or Distributing Stations	N	N	N	Y
27. Contractor's Equipment Storage Yard or Storage & Rental Contractor's Equipment	N	N	N	Y
28. Motor Vehicle, Boat, & Camper Storage	N	N	N	Y
29. Trucking and Motor Freight Station or Terminal	N	N	N	Y
30. Carting, Express, or Hauling Establishments	N	N	N	Y
31. Stone or Monument Works	N	N	N	Y
32. Mini-Warehouse or Self Storage Facilities	N	N	N	Y

B-1, B-2, B-3 & B-4

CONDITIONALLY PERMITTED USES: (Requires BZA Approval)	B-1	B-2	B-3	B-4
1. Commercial Recreation Establishments	Y	--	--	--
2. Day-Care Centers	Y	Y	Y	Y
3. Nursing Homes, Convalescent Homes, Rest Homes	Y	Y	Y	Y
4. Clubs, Fraternal or Lodge Organizations	Y	Y	Y	Y
5. Animal Hospitals, Veterinary Clinics, and Kennels	Y	Y	--	--
6. Bars and Taverns	N	Y	Y	Y
7. Wholesale Establishments	N	N	Y	Y
8. Adult Entertainment Establishments	N	N	N	Y

I-1

PRINCIPAL PERMITTED AND CONDITIONED USES:
1. Industrial & Manufacturing Establishments
2. Warehouses
3. Wholesale Establishments
4. Manufacturing Retail Outlets
5. Any use permitted and as regulated as a Principal Permitted or Conditioned Use in the B-4 District
CONDITIONALLY PERMITTED USES: (Requires BZA Approval)
1. Any use permitted and as regulated as a Conditionally Permitted Use in the B-4 District
2. Junkyards & Automobile Wrecking Yards
3. Resource and Mineral Extraction
4. Penal & Correctional Facilities
5. Sanitary Landfills

O-1 & OR-2

PRINCIPAL PERMITTED AND CONDITIONED USES:	O-1	OR-2
1. Business and/or Professional Offices, including Medical and Dental Clinics	Y	N
2. Banks and Financial Institutions	Y	N
3. Law, Real Estate, and Insurance Offices	Y	N
4. Business Service Establishments	Y	N
5. Single-Family Dwellings	N	Y
6. Incidental Business Uses	N	Y

Y = Yes (Permitted)

N = No (Not Permitted)